

PATRICK D. ROBBINS (CABN 152288)
Acting United States Attorney
450 Golden Gate Avenue, Box 36055
San Francisco, California 94102-3495
Telephone: (415) 436-7200
Fax: (415) 436-6748

ERIC J. HAMILTON (CABN 296283)
Deputy Assistant Attorney General
DIANE KELLEHER
Branch Director
CHRISTOPHER HALL
Assistant Branch Director
ANDREW M. BERNIE
Trial Attorney
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20005
Telephone: (202) 353-7203
andrew.m.bernie@usdoj.gov

Counsel for Defendants

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, *et al.*

Plaintiffs,

v.

DONALD J. TRUMP, *et al.*,

Defendants.

Case No. 3:25-cv-03698-SI

DECLARATION OF STEPHEN M. BILLY

1 I, Stephen M. Billy, declare, pursuant to 28 U.S.C. § 1746, as follows:

2 1. I currently serve as a Senior Advisor for the Office of Management and Budget
3 (OMB), Executive Office of the President. I have occupied this position since January 24, 2025.

4 2. I provide this Declaration pursuant to the directive on page 48 of this Court's May
5 22 order stating that "defendants shall file a declaration verifying that all defendants have been
6 given notice of this order and have taken steps to comply."

7 3. Defendants have worked diligently to comply with the Order, just as they had
8 previously been working diligently to comply with the Court's previous order granting a temporary
9 restraining order (TRO), issued on May 9, 2025. All Defendants have been given notice of this
10 Order and have taken steps to comply. As explained in my previous declaration, *see* ECF No. 95-
11 1, in response to the TRO, counsel for the Government previously sent compliance instructions to
12 all enjoined components. Although the content of those instructions is privileged, the instructions
13 emphasized, among other things, that even though the Government had appealed that order, the
14 enjoined components must comply with it until there is relief from the Order from this Court or a
15 higher court. The instructions further set forth compliance guidance, emphasized that Department
16 of Justice attorneys are available to answer questions, and underscored that enjoined components
17 should consult with Department of Justice attorneys before taking any actions arguably implicating
18 the Order. *Id.* ¶ 5.

19 4. In response to the Court's preliminary injunction order, counsel for the Government
20 has similarly provided compliance instructions to all enjoined components. Again, the content of
21 those instructions are privileged. But the instructions explained what the preliminary injunction
22 prohibits, emphasized that enjoined components must comply with the injunction until there is
23 relief from that injunction from this Court or a higher court, and reemphasized the importance of
24 enjoined components consulting with Department of Justice attorneys before engaging in any
25 activities arguably implicating the Court's preliminary injunction order.

26 Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
27 and correct based on my personal knowledge.
28

1 Dated: May 30, 2025

2
3
4 /s/ Stephen M. Billy
5 Stephen M. Billy
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28